

Amendment and Response

Applicant: Curtis Miller et al.

Serial No.: 10/008,415

Filing Date: November 13, 2001

Docket: 1554-AB

Title: GAS ASSISTED SPRAY APPLICATOR

REMARKS

This Amendment is responsive to the Office Action mailed March 24, 2004. In that Office Action, the Examiner rejected claims 1-2 under 35 U.S.C. §102(e) as being anticipated by Zinger, U.S. Patent No. 6,464,663 ("Zinger"); claims 1-2 under 35 U.S.C. §102(b) as being anticipated by Fukunaga et al., U.S. Patent No. 5,582,596 ("Fukunaga"); and claims 1-2 under 35 U.S.C. §102(b) as being anticipated by Redl et al., U.S. Patent No. 4,631,055 ("Redl").

With this Response, claims 3-19 have been added and are presented for consideration. Claims 1-2 remain pending in the application and are presented for reconsideration and allowance.

Claim Rejections under 35 U.S.C. §102

The Examiner rejected claims 1-2 as noted above.

Although Applicant respectfully disagrees with the Examiner's conclusions that claims 1 and 2 are anticipated, Applicant amends claims 1 and 2 to better clarify the invention and specifically the 2 piece applicator. These claims relate in the case of claim 1 to an adhesive applicator system, and in the case of claim 2 to the applicator. Specifically in either claim, the invention includes an applicator system that receives a first syringe for storing a first solution, and a second syringe for storing a second solution, as well as a compressed gas source for providing compressed gas, where the applicator includes a manifold and a mixing tip, and where the tip is connectable to a compressed gas source.

None of the three references cited either alone or in any combination teaches an applicator as described above of a two part construction whereby the compressed gas is provided into the mixing tip. This allows for easy replacement of a contaminated or used mixing tip rather than the entire applicator.

Zinger discloses at column 5, lines 41-57 that "[m]ounted on each of the two discharge connecting pieces 28 is a connection head member 30 having to receiving openings 32 for the discharge connecting pieces 28... a gas-conducting channel 40 extends through the

Amendment and Response

Applicant: Curtis Miller et al.

Serial No.: 10/008,415

Filing Date: November 13, 2001

Docket: 1554-AB

Title: GAS ASSISTED SPRAY APPLICATOR

connection head..." Clearly the gas channel as is shown in the Figures as well is part of the head member or manifold.

Fukunaga clearly shows and discloses a gas supply tube 28 connected to housing or manifold 21. See column 5, lines 34-36 as well as the Figures. Such manifold is one piece.

Redl similarly shows a one piece connecting head or manifold 27 with a conveying channel 30 therein.

No new matter has been claimed as the manifold and mixing tube were both previously disclosed and claimed in the claims as originally filed.

For at least the reasons above, the cited references fail to teach or suggest the elements of claims 1 or 2. As claim 3 is similar to claim 2, and the other claims are all dependent, any rejections are traversed for reasons similar to those stated above. Therefore, the Applicant respectfully requests that the rejection of claims 1-2 under 35 U.S.C. § 102(e) and 35 U.S.C. § 102(b) be withdrawn.

Newly Added claims

Newly added claims 3-19 are believed to be supported in the Specification. Claims 3 is substantially similar to claim 2, and claims 4-19 are depend directly or indirectly from claims 1 or 3 which are believed to be allowable. Therefore, the new claims are believed to present patentably distinct matter from the cited references. There allowance is requested accordingly.

Allowable Subject Matter

In light of the above, Applicant believes all of the pending claims are in condition for allowance.

Amendment and Response
 Applicant: Curtis Miller et al.
 Serial No.: 10/008,415
 Filing Date: November 13, 2001
 Docket: 1554-AB
 Title: GAS ASSISTED SPRAY APPLICATOR

CONCLUSION

It is believed that all claims are now in a condition for allowance. Allowance and notice to that effect is respectfully requested.

A three month extension fee is required, and the Patent Office is hereby authorized to charge Deposit Account No. 500471. If any other fees are required, the Patent Office is hereby authorized to charge Deposit Account No. 500471.

The Examiner is invited to contact the Applicants' Representative at the below-listed telephone number if there are any questions regarding this response.

Respectfully submitted,

Curtis Miller et al.,

By their attorneys,

John Vasuta, Esq.

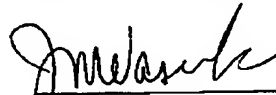
PO Box 1151

Hudson, OH 44236

Telephone: (330) 650-2907

Facsimile: (330) 650-2906

Date: Sept. 24, 2004


 John Vasuta, Esq.
 Reg. No. 38,353

CERTIFICATE UNDER 37 C.F.R. 1.8:

The undersigned hereby certifies that this paper or papers, as described herein, are being faxed to (703) 872-9306 which is the fax number for art unit number 3763 of the Commissioner for Patents on this 24th day of September, 2004.

By 
 Name: John Vasuta